

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1, 3-11, and 13-88 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled. Claims 2 and 12 are canceled. Claims 21-88 are allowed.

Applicants acknowledge with appreciation the indication by the Examiner that claims 21-88 are allowed.

Claims 1-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sako (U.S. Patent 5,732,088). Claims 1 and 11 were amended to include the precoding limitations from dependent claims 2 and 12, respectively. The present invention has a "precoding means for filtering data supplied from said interleaving means to compensate for channel characteristics." (Claim 1, Claim 11 contains a similar limitation) This precoding means corresponds to precoder 54 shown in Figure 9. The Examiner contends Sako's encoder 5 is analogous to the present invention's precoder. However, Sako's encoder is part of a CIRC encoder and is used to add a

parity bit as an error correction code. (Column 5, Lines 10-20; Column 6, Lines 6-17) This error correction code is used for error correction in a reproducing system. (Column 6, Lines 57-64) By contrast, the present invention's precoder is used "to compensate for channel characteristics." (Specification page 34, line 17 to page 35, line 5) Further, the precoder is only applicable to the recording side of the system, and is therefore not applicable to a reproducing system, as is the encoder disclosed by Sako. Accordingly, Sako does not meet the present invention's precoder limitation. For at least this reason, Sako fails to anticipate the present invention and the rejected claims should now be allowed.

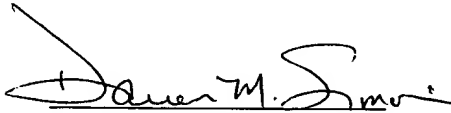
In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read "Darren M. Simon", written over a horizontal line.

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